

**REMARKS**

Reconsideration of the subject application as amended herein is respectfully requested.

It is noted with appreciation that the Examiner considers applicant's election submitted on September 24, 2007.

Claims 11 and 14 are presently amended and claim 20 is presently added in part to overcome the Examiner's objections of paragraphs 4-10 of the office action. Claims 12, 13, and 15 have been cancelled.

Relative to the Examiner's objections in paragraphs 12 and 16, Fig. 10 has been added to overcome the objection. As per the Examiner's note, a new figure is included with this response. Support for this figure can be found beginning on page 33, line 2 under the section labelled "Ensemble Averaging Scheme." It is respectfully requested that the Examiner note that no new matter has been introduced.

Relative to the Examiner's objection in paragraphs 13-15, the aforementioned amended claims eliminate the objected to text.

In paragraphs 17-20, the Examiner rejected claims 11-15 based upon nonstatutory obviousness-type double patenting as being unpatentable over claims 1-32 of U.S. Patent No. 6,642,884 (Bryant et al.) in view of either one of Tsui et al. (H2155) or Abaunza (U.S. Patent No. 5,271,034). The Applicants respectfully traverse this rejection in part by amending claims 11 and 14, cancelling claims 12, 13, and 15, and introducing new claim 20. Claims 11, 14, and 20 all are independent and all distinguish over Bryant by distinguishing limitations. Claim 11, for example, incorporates the limitation of filtering squared magnitudes of FFT bins and performing multiple FFT calculations. Claims 14 and 20 also include distinguishing limitations regarding autoconvolution arrays and the quantity of FFT steps, respectfully. In addition, these limitations are not disclosed in Tsui or Abaunza. This limitation is not disclosed in Bryant, Tsui, or Abaunza, either alone or in combination, and, similarly, the limitations of claims 14 and 20 are not disclosed by the prior art alone or in combination either.

In paragraphs 22-24, the Examiner rejected claims 11-15 under 35 U.S.C. § 103(a) as being unpatentable over Bloebaum et al. (U.S. Patent No. 6,204,808) in view

of any one of Tsui et al., Abaunza, or Gustaffson et al. (U.S. Patent No. 6,175,602). The Applicants respectfully traverse this rejection in part by amending claims 11 and 14, cancelling claims 12, 13, and 15, and introducing new claim 20. Claims 11, 14, and 20 all are independent and all distinguish over Bloebaum by distinguishing limitations. All of the present claims are directed to SPS location with use of Fast Fourier Transforms. Although Bloebaum uses Taylor series expansion, it does not go as far disclosing use of either Fourier Transforms or Fast Fourier Transforms. In addition, the limitations of all three claims related to Fast Fourier Transforms, including the limitation of filtering squared magnitudes of FFT bins and performing multiple FFT calculations of claim 11, the use of the squared magnitude of an autoconvolution array of claim 14, or the quantity of steps limitation of claim 20, are not disclosed, even tangentially, in Tsui, Abaunza, or Gustaffson.

Although no additional fee is deemed necessary, the Commissioner is authorized to use Deposit Account No. 07-1730, Docket 4169/028 US for any expenses that may be required.

Respectfully submitted,

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